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5 SLAINTE BARS, LLC

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7 UNITED STATES DISTRICT COURT
8 NORTHERN DISTRICT OF CALIFORNIA

9 BRIAN WHITAKER,

10 Plaintiff,

11 v.

12 SLAINTE BARS, LLC, a California Limited
13 Liability Company; and DOES 1 through 10,

14 Defendants.

Case No. 3:21-cv-03750-JSC

**DECLARATION OF ARA SAHELIAN IN
SUPPORT OF DEFENDANT SLAINTE
BARS, LLC'S SUPPLEMENTAL BRIEF
AS TO PLAINTIFF BRIAN WHITAKER'S
STANDING**

*[Defendant Slainte Bar, LLC'S Supplemental
Brief as to Plaintiff Brian Whitaker's Standing
and Request for Judicial Notice with Exhibits
submitted concurrently herewith]*

Hon. Jacqueline Scott Corley
Complaint Filed: May 19, 2021
Trial Date: None Set

DECLARATION OF ARA SAHELIAN

I, Ara Sahelian, state and declare as follows:

1. I am an attorney duly licensed to practice before the Courts of the State of California. I work at Sahelian Law Offices, attorneys of record for Defendant Slainte Bars, LLC in the action entitled *Whitaker v. Slainte Bars, LLC*, U.S.D.C. Case No. 21-cv-03750-JSC. I make this declaration in support of Defendant Slainte Bar, LLC's Supplemental Brief as to Plaintiff Brian Whitaker's Standing ("Supplemental Brief"). I have personal knowledge of the facts contained in this declaration, and if called as a witness, could and would testify competently thereto.

2. Attached hereto as **Exhibit A** is a true and correct copy of the entire transcript of the evidentiary hearing which was held on February 7, 2022 in this matter and which I attended and in which I examined Plaintiff.

3. Attached hereto as **Exhibit B** is a true and correct copy of the deposition transcript of Brian Whitaker which I took in *Whitaker v. The Goltz Corp.*, on November 11, 2021 in Case No. 2:21-cv-00527-JAM-CKD filed in the Central District of California. This document was included on Defendant's Exhibit List at Docket No. 42 pursuant to the instructions contained in the Court's Order Re: Evidentiary Hearing at Docket No. 38 and was provided to the Court on February 4, 2022 and was admitted into evidence by the Court at the Evidentiary Hearing which took place on February 7, 2022 at 53:19-54:3. The same true and correct copy is now being provided to the Court as **Exhibit B** to this Declaration in support of Defendant's Supplemental Brief for ease of use for the Court and Plaintiff's counsel.

4. Attached hereto as **Exhibit C** is a true and correct copy of the trial transcript of the case I tried in *Whitaker v. Pachanga Mexican Grill* on December 2, 2021 in Case No. 20STLC03367 filed in the Superior Court of California, County of Los Angeles. This document was previously included on Defendant's Exhibit List at Docket No. 42 pursuant to the instructions contained in the Court's Order Re: Evidentiary Hearing at Docket No. 38 and was provided to the Court on February 4, 2022 and was admitted into evidence by the Court at the Evidentiary Hearing which took place on February 7, 2022 at 53:19-54:3. The same true and correct copy is now being

1 provided to the court as **Exhibit C** to this Declaration in support of Defendant's Supplemental
2 Brief for ease of use for the Court and Plaintiff's counsel.

3 5. Attached hereto as **Exhibit D** is a true and correct copy of the deposition
4 transcript of a deposition taken of Brian Whitaker on February 7, 2022 in *Whitaker v. Peet's*
5 *Coffee, Inc.*, Case No. 3:21-CV-07055-WHA, which is a case that was filed in the Northern
6 District of California on September 13, 2021. The instant transcript has also been partially filed in
7 that case at Docket No. 25-1 by Defendant Peet's Coffee Inc.

8 6. Attached hereto as **Exhibit E** is a true and correct copy of the deposition transcript
9 of a deposition I took of Brian Whitaker on July 23, 2018 in *Whitaker v. Kashani, et al.*, Case No.
10 2:18-cv-00346-JFW-PLA filed in the Central District of California on January 16, 2018. This
11 document was previously included on Defendant's Exhibit List at Docket No. 42 pursuant to the
12 instructions contained in the Court's Order Re: Evidentiary Hearing at Docket No. 38 and which
13 was admitted into evidence by the Court at the Evidentiary Hearing which took place on February
14 7, 2022 at 53:19-54:3.

15 I declare under penalty of perjury under the laws of the United States of America and
16 California that the foregoing is true and correct.

17 Executed on March 14, 2022 at Santa Clara, California.

18 /s/ Ara Sahelian

19 ARA SAHELIAN
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